

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-989

October 30, 2002

AES NEW ENERGY, INC.
Application for License to Operate as a
Competitive Electricity Provider
(Amendment to Current License)

ORDER AMENDING
LICENSE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On January 3, 2001, the Commission approved the transfer of a license from NewEnergy East, L.L.C. to operate as a competitive electricity provider in Maine to AES NewEnergy, Inc., (NewEnergy) pursuant to Chapter 305 of the Commission's Rules.

On October 2, 2002, the Commission received a notice that the AES Corporation (AES) entered into an agreement with Constellation Energy Group, Inc. (Constellation) for the sale of 100% of the common stock of its wholly-owned subsidiary, AES NewEnergy, Inc. to a wholly-owned subsidiary of Constellation. As of the closing of the stock purchase transaction on September 9, 2002, NewEnergy became an indirect, wholly owned subsidiary of Constellation.

NewEnergy is licensed by the Commission as a competitive electricity supplier in Maine. The notice states that the closing of the stock purchase transaction has not affected service to NewEnergy's customers and terms and conditions of service have remained the same. NewEnergy has retained its corporate form and continues to own its pre-acquisition assets and to be responsible for its pre-acquisition liabilities.

NewEnergy's legal name has changed from AES NewEnergy to Constellation NewEnergy, Inc effective September 9, 2002 and requests that we authorize the name change for the previously issued license. As there are no other major changes as a result of the acquisition of AES NewEnergy by Constellation, we see no reason not to authorize the name change for the license.

Accordingly, we

ORDER

1. That pursuant to Chapter 305, the license granted to AES NewEnergy, Inc. in Docket No. 2000-989 on January 3, 2001 is amended to reflect a change in the licensee's name to Constellation NewEnergy, Inc.; and

2. That the Administrative Director send a copy of this Order to Constellation, NewEnergy, and to all transmission and distribution utilities in Maine.

Dated at Augusta, Maine, this 30th day of October, 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.

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